

Kenneth A. Gallo (*pro hac vice*)  
Paul D. Brachman (*pro hac vice*)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
2001 K Street, NW  
Washington, DC 20006-1047  
Telephone: (202) 223-7300  
Facsimile: (202) 223-7420  
Email: [kgallo@paulweiss.com](mailto:kgallo@paulweiss.com)  
Email: [pbrachman@paulweiss.com](mailto:pbrachman@paulweiss.com)

William B. Michael (*pro hac vice*)  
Crystal L. Parker (*pro hac vice*)  
Daniel A. Crane (*pro hac vice*)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Telephone: (212) 373-3000  
Facsimile: (212) 757-3990  
Email: [wmichael@paulweiss.com](mailto:wmichael@paulweiss.com)  
Email: [cparker@paulweiss.com](mailto:cparker@paulweiss.com)  
Email: [dcrane@paulweiss.com](mailto:dcrane@paulweiss.com)

**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
535 Mission Street, 24th Floor  
San Francisco, CA 94105  
Telephone: (628) 432-5100  
Facsimile: (628) 232-3101  
Email: jhill@paulweiss.com

*Attorneys for Defendant Intuitive Surgical, Inc.*

[Additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

## SURGICAL INSTRUMENT SERVICE COMPANY, INC.,

*Plaintiff,*

V.

INTUITIVE SURGICAL, INC.,  
*Defendant.*

Case No.: 3:21-cv-03496-AMO-LB

**RESPONSE TO COURT'S ORDER  
REGARDING SUPPLEMENTING  
COUNSEL'S CERTIFICATE OF SERVICE  
FOR JOINT ADMINISTRATIVE MOTION  
TO CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE SEALED**

Judge: The Honorable Araceli Martínez-Olguín

Defendant Intuitive Surgical, Inc. (“Intuitive”) respectfully submits this response to the Court’s instruction that “counsel for Intuitive . . . file a supplement to his certificate of service” to the Joint Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed Pursuant to Civil Local Rule 79-5(f) (the “Motion to Consider”), Dkt. 341, “to provide further detail in accordance with Civil Local Rule 5-5.” Dkt. 370.

Attached hereto as Exhibit A is the supplement to the certificate of service for the Motion to Consider. Additionally, attached hereto is a declaration relating certain communications that counsel for affected non-parties sent following the submission of the Motion to Consider.

Dated: December 27, 2024

By: /s/ Kenneth A. Gallo

Kenneth A. Gallo

Kenneth A. Gallo (*pro hac vice*)  
 Paul D. Brachman (*pro hac vice*)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
 2001 K Street, NW  
 Washington, DC 20006-1047  
 Telephone: (202) 223-7300  
 Facsimile: (202) 204-7420  
 Email: kgallo@paulweiss.com  
 Email: pbrachman@paulweiss.com

William B. Michael (*pro hac vice*)  
 Crystal L. Parker (*pro hac vice*)  
 Daniel A. Crane (*pro hac vice*)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
 1285 Avenue of the Americas  
 New York, NY 10019-6064  
 Telephone: (212) 373-3000  
 Facsimile: (212) 757-3990  
 Email: wmichael@paulweiss.com  
 Email: cparker@paulweiss.com  
 Email: dcrane@paulweiss.com

Joshua Hill Jr. (SBN 250842)  
**PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP**  
 535 Mission Street, 24th Floor  
 San Francisco, CA 94105

1 Telephone: (628) 432-5100  
2 Facsimile: (628) 232-3101  
3 Email: jhill@paulweiss.com

4 Sonya D. Winner (SBN 200348)  
5 **COVINGTON & BURLING LLP**  
6 415 Mission Street, Suite 5400  
7 San Francisco, California 94105-2533  
8 Telephone: (415) 591-6000  
9 Facsimile: (415) 591-6091  
10 Email: swinner@cov.com

11 Kathryn E. Cahoy (SBN 298777)  
12 **COVINGTON & BURLING LLP**  
13 3000 El Camino Real  
14 5 Palo Alto Square, 10th Floor  
15 Palo Alto, California 94306-2112  
16 Telephone: (650) 632-4700  
17 Facsimile: (650) 632-4800  
18 Email: kcahoy@cov.com

19 Andrew Lazerow (pro hac vice)  
20 **COVINGTON & BURLING LLP**  
21 One City Center 850 Tenth Street NW  
22 Washington DC 20001-4956  
23 Telephone: (202) 662-6000  
24 Facsimile: (202) 662-6291  
25 Email: alazerow@cov.com

26 Allen Ruby (SBN 47109)  
27 allen@allenruby.com  
28 **ALLEN RUBY, ATTORNEY AT LAW**  
15559 Union Ave. #138  
Los Gatos, California 95032  
Telephone: (408) 477-9690

29 *Attorneys for Defendant  
30 Intuitive Surgical, Inc.*

**CERTIFICATE OF SERVICE**

I, Kenneth A. Gallo, hereby certify that on December 27, 2024, I caused a copy of the foregoing Response to Court's Order Regarding Supplementing Counsel's Certificate of Service for Joint Administrative Motion to Consider Whether Another Party's Material Should Be Sealed to be electronically filed via the Court's Electronic Case Filing System, which pursuant to the Court's order of September 29, 2008, constitutes service in this action on counsel of record for Surgical Instrument Service Company, Inc.

Dated: December 27, 2024

By: /s/ *Kenneth A. Gallo*

---

Kenneth A. Gallo